

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 56th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON EDUCATION**

**Call to Order:** By **CHAIRMAN GAY ANN MASOLO**, on January 27, 1999  
at 3:00 P.M., in Room 312 - 1 Capitol.

#### **ROLL CALL**

##### **Members Present:**

Rep. Gay Ann Masolo, Chairman (R)  
Rep. Bob Lawson, Vice Chairman (R)  
Rep. Linda McCulloch, Vice Chairman (D)  
Rep. Joan Andersen (R)  
Rep. Tom Facey (D)  
Rep. Daniel Fuchs (R)  
Rep. Kathleen Galvin-Halcro (D)  
Rep. Kim Gillan (D)  
Rep. John L. Holden (R)  
Rep. Sam Kitzenberg (R)  
Rep. Monica Lindeen (D)  
Rep. Jeff Mangan (D)  
Rep. Joe McKenney (R)  
Rep. Mark Noennig (R)  
Rep. Bill Rehbein (R)  
Rep. Sam Rose (R)  
Rep. Allan Walters (R)  
Rep. Diana Wyatt (D)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** Connie Erickson, Legislative Branch  
Linda Scott, Committee Secretary

**Please Note:** These are summary minutes. Testimony and  
discussion are paraphrased and condensed.

##### **Committee Business Summary:**

Hearing Dated: HB 310, 1/27/1999  
Executive Action: HB 301

HEARING ON HB 310

Opening Statement by Sponsor: Rep. Brad Molnar  
{Tape : 1; Side : A; Approx. Tape Counter : 2 - 85}

Proponents' Testimony:

Al McMilin, Superintendent, Laurel, Mt.  
{Tape : 1; Side : A; Approx. Tape Counter : 89 - 169}

Ed Sansom, Superintendent, St. Regis, Mt.  
{Tape : 1; Side : A; Approx. Tape Counter : 172 - 255}

Opponents' Testimony:

Bill Cooper, Deputy Director, O.P.I.  
{Tape : 1; Side : A; Approx. Tape Counter : 262 - 304}

Eric Feaver, M.E.A./M.F.T.  
{Tape : 1; Side : A; Approx. Tape Counter : 306 - 368}

Informational Testimony:

G. Joe Connell, Chief, M.J.P.O.A.  
{Tape : 1; Side : A; Approx. Tape Counter : 373 - 501}

Loran Frazier, S.A.M.  
**EXHIBIT** (edh21a01)  
{Tape : 1; Side : B; Approx. Tape Counter : 502 - 530}

Mary Pippin  
{Tape : 1; Side : B; Approx. Tape Counter : 532 - 565}

Lance Melton, M.S.B.A.  
{Tape : 1; Side : B; Approx. Tape Counter : 567 - 592}

Questions from Committee Members and Responses:  
{Tape : 1; Side : B; Approx. Tape Counter : 594 - 999}  
{Tape : 2; Side : A; Approx. Tape Counter : 1 - 25}

Closing by Sponsor:  
{Tape : 2; Side : A; Approx. Tape Counter : 29 - 133}

MONTANA EDUCATION LABOR MANAGEMENT COMMITTEE PRESENTATION  
{Tape : 2; Side : A; Approx. Tape Counter : 142 - 382} exhibit 1

EXECUTIVE ACTION ON HB 301

Motion: REP. FUCHS moved that HB 301 DO PASS.  
{Tape : 2; Side : A; Approx. Tape Counter : 383 - 385}

Motion: REP. ROSE moved that HB 301 BE AMENDED.  
{Tape : 2; Side : A; Approx. Tape Counter : 386 - 388}

Discussion and clarification about original Amendment to HB 301  
{Tape : 2; Side : A; Approx. Tape Counter : 389 - 459}

Motion/Vote: REP. FUCHS moved that HB 301 BE AMENDED. Motion carried 16-2 with Reps. Rehbein and Holden voting no.  
{Tape : 2; Side : A; Approx. Tape Counter : 461 - 480}

Motion: REP. ROSE moved that HB 301 SUNSET AMENDMENT BE ADOPTED.  
{Tape : 2; Side : A; Approx. Tape Counter : 481 - 483}

Discussion and clarification about Sunset Amendment to HB 301  
{Tape : 2; Side : A & B; Approx. Tape Counter : 485 - 528}

Motion/Vote: REP. HOLDEN moved that HB 301 SUNSET AMENDMENT BE ADOPTED. Motion carried 17-1, with Rep. Rehbein voting no.  
{Tape : 2; Side : B; Approx. Tape Counter : 530 - 533}

Motion: REP. GILLAN moved that HB 301, FIRST AMENDMENT BE ADOPTED.  
{Tape : 2; Side : B; Approx. Tape Counter : 548 - 550}

Discussion concerning First Amendment  
{Tape : 2; Side : B; Approx. Tape Counter : 551 - 643}

Motion/Vote: REP. FUCHS moved that HB 301 FIRST AMENDMENT BE ADOPTED. Motion carried 9-8, with Reps. Lawson, Fuchs, Galvin-Halcro, Holden, McKenney, Rehbein, Rose and Masolo voting no. Rep. Walters left the meeting due to illness.  
{Tape : 2; Side : B; Approx. Tape Counter : 645 - 648}

Motion: REP. GILLAN moved that HB 301 SECOND AMENDMENT BE ADOPTED.  
{Tape : 2; Side : B; Approx. Tape Counter : 682 - 684}

Discussion concerning Second Amendment  
{Tape : 2; Side : B; Approx. Tape Counter : 686 - 779}

Motion/Vote: REP. FUCHS moved that HB 301 SECOND AMENDMENT BE ADOPTED. Motion failed 11-6, with Reps. McCulloch, Facey, Gillan, Kitzenberg, Lindeen, Mangan voting yes; Rep. Walters absent/ill.

*{Tape : 2; Side : B; Approx. Tape Counter : 781 - 788}*

Motion: REP. GILLAN moved that HB 301 THIRD AMENDMENT BE ADOPTED.

*{Tape : 3; Side : A; Approx. Tape Counter : 2 - 6}*

Discussion concerning Third Amendment

*{Tape : 3; Side : A; Approx. Tape Counter : 7 - 10}*

Motion/Vote: REP. FUCHS moved that HB 301 THIRD AMENDMENT BE ADOPTED. Motion failed 7-10 with Reps. McCulloch, Facey, Gillan, Kitzenberg, Lindeen, Mangan, and Noennig voting yes; Walters absent/ill.

*{Tape : 3; Side : A; Approx. Tape Counter : 11 - 15}*

Motion: REP. GILLAN moved that HB 301 FOURTH AMENDMENT BE ADOPTED.

*{Tape : 3; Side : A; Approx. Tape Counter : 16 - 34}*

Discussion concerning Fourth Amendment

*{Tape : 3; Side : A; Approx. Tape Counter : 35 - 116}*

Motion/Vote: REP. FUCHS moved that HB 301 FOURTH AMENDMENT BE ADOPTED. Motion carried 11-6 with Reps. Lawson, Fuchs, Holden, McKenney, Rehbein, and Rose voting no; Walters absent/ill.

*{Tape : 3; Side : A; Approx. Tape Counter : 118 - 122}*

Motion: REP. MANGAN moved that HB 301 DO PASS AS AMENDED.

*{Tape : 3; Side : A; Approx. Tape Counter : 124 - 128}*

Discussion concerning HB 301 with Amendments

*{Tape : 3; Side : A; Approx. Tape Counter : 130 - 173}*

Motion/Vote: REP. FUCHS moved that HB 301 DO PASS AS AMENDED. Motion carried 14-3 with Reps. Fuchs, Holden, and Rose voting no; Rep. Walters absent/ill.

*{Tape : 3; Side : A; Approx. Tape Counter : 175 - 193}*

**ADJOURNMENT**

Adjournment: 5:30 P.M.

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REP. GAY ANN MASOLO, Chairman

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LINDA SCOTT, Secretary

GM/LS

**EXHIBIT** (edh21aad)